

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO. CR13-303 JCC
v.)
GERARDO GOMEZ,)
Defendant.)
DETENTION ORDER

Offense charged: Supervised Release Violations

Date of Detention Hearing: April 8, 2022

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant is charged with violating conditions of supervision by using alcohol,

01 using methamphetamine, and failing to maintain compliance with substance abuse and mental
02 health treatment. Defendant has admitted the alleged violations, and a disposition hearing has
03 been scheduled with Judge Coughenour.

04 2. Defendant was released to his term of supervision in August 2019. Prior to the
05 instant violations, it was necessary to modify the conditions of release to reflect defendant's
06 drug use and lack of housing. On several other occasions, defendant was charged with
07 violation of the conditions of release due to continuing substance abuse. Defendant has now
08 admitted continuing substance abuse and failure to comply with court-ordered treatment. In
09 this situation, a rebuttable presumption arises that there are no conditions or combination of
10 conditions that will assure that the person will not pose a danger to the safety of any other
11 person or the community. 18 USC §3148(b). Defendant in fact requests detention pending the
12 disposition hearing.

13 3. Taken as a whole, the record does not effectively rebut the presumption that no
14 condition or combination of conditions will reasonably assure the appearance of the defendant
15 as required and the safety of the community.

16 It is therefore ORDERED:

- 17 1. Defendant shall be detained pending hearing and committed to the custody of the
18 Attorney General for confinement in a correction facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;
- 21 2. Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

3. On order of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United State Pretrial Services Officer.

DATED this 8th day of April, 2022.

Mary Alice Theiler
Mary Alice Theiler
United States Magistrate Judge